

**EIGHTY-THIRD GENERAL ASSEMBLY  
2010 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

FEBRUARY 23, 2010

**HOUSE FILE 816**

**H-8176**

1 Amend House File 816 as follows:  
2 1. Page 1, by striking lines 3 through 15 and  
3 inserting:  
4 <NEW SUBSECTION. 31. a. To the extent permissible  
5 by federal law, to subpoena certain records held by a  
6 public or private utility company with respect to an  
7 individual who has a debt or obligation placed with the  
8 centralized collection unit of the department. The  
9 subpoena authority granted in this subsection may be  
10 used only after reasonable efforts have been made by  
11 the centralized collection unit to identify and locate  
12 the individual.  
13 b. The department may subpoena customer records,  
14 but shall not request or require the disclosure  
15 of transaction information, account activity, or  
16 proprietary information.>  
17 2. Page 1, by striking lines 18 through 20 and  
18 inserting <frequently than quarterly.>  
19 3. Page 1, line 24, after <director.> by inserting  
20 <In administering this subsection, the director and  
21 the department shall comply with all applicable state  
22 and federal laws pertaining to the confidentiality or  
23 privacy of individuals or public or private utility  
24 companies. The information and customer records  
25 obtained by the department pursuant to this subsection  
26 are confidential records and are not subject to  
27 requests for examination pursuant to chapter 22.>  
28 4. Page 1, before line 34 by inserting:  
29 <g. The department may adopt rules for the  
30 administration of this subsection.>  
31 5. Page 1, line 35, by striking <2010> and  
32 inserting <2011>  
33 6. Title page, by striking lines 2 and 3 and  
34 inserting <customer records of individuals with a  
35 debt placed with the centralized collection unit of  
36 the department of revenue and including effective date  
37 provisions.>  
38 7. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS

SHOMSHOR of Pottawattamie, Chairperson

**H-8176** FILED FEBRUARY 22, 2010

**HOUSE FILE 2229**

**H-8194**

1 Amend House File 2229 as follows:  
2 1. Page 1, after line 21 by inserting:  
3 <4. This section is applicable only to dental plans  
4 issued pursuant to chapter 514.>

**By** STRUYK of Pottawattamie

**H-8194** FILED FEBRUARY 22, 2010

HOUSE FILE 2297

H-8175

1 Amend House File 2297 as follows:  
2 1. Page 2, line 17, by striking <is a practicing>  
3 and inserting <as an obstetrician or>  
4 2. Page 2, by striking lines 23 through 25 and  
5 inserting <midwives; and two members who shall  
6 represent the general public and who are not licensed  
7 as a midwife, physician, or nurse.>  
8 3. Page 3, line 8, after <periods> by inserting  
9 <,including newborn care up to six weeks,>  
10 4. Page 3, line 22, by striking <2011> and  
11 inserting <2012>  
12 5. Page 3, line 26, after <shall> by inserting  
13 <meet minimum education requirements and>  
14 6. Page 3, line 32, after <resuscitation.> by  
15 inserting <In reviewing applications, the board  
16 may request, at the applicant's expense, that the  
17 department of public safety perform a criminal history  
18 check and the department of human services perform  
19 child and dependent adult abuse record checks of the  
20 applicant. If an applicant has a criminal record or a  
21 record of founded child or dependent adult abuse, the  
22 board shall perform an evaluation to determine whether  
23 the record warrants denial of licensure.>  
24 7. Page 4, after line 3 by inserting:  
25 <Sec. \_\_\_\_\_. NEW SECTION. 148F.3A Insurance.  
26 If the board determines that liability insurance is  
27 available at an affordable price to licensed midwives,  
28 the board may mandate such coverage by rule. Until  
29 that time, a licensed midwife shall provide each  
30 client with a disclosure statement indicating that the  
31 midwife does not have liability insurance as provided  
32 in section 148F.5.>  
33 8. Page 4, line 16, after <midwife,> by inserting  
34 <as specified in section 148F.2,>  
35 9. Page 4, line 33, by striking <shall> and  
36 inserting <may>  
37 10. Page 5, by striking lines 6 through 13 and  
38 inserting:  
39 <3. In establishing rules, the board shall reflect  
40 the knowledge and skills identified by the north  
41 American registry of midwives' current job description  
42 for the profession and the standards of practice of  
43 midwifery established by the national association  
44 of certified professional midwives or a successor  
45 organization.>  
46 11. Page 5, line 16, after <information> by  
47 inserting <, in a manner determined by the board by  
48 rule,>  
49 12. Page 6, line 4, by striking <2011> and  
50 inserting <2012>

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Page 2

- 1 13. Page 6, line 15, by striking <2011> and
- 2 inserting <2012>
- 3 14. Page 7, line 14, by striking <These> and
- 4 inserting <The>
- 5 15. Page 7, line 16, by striking <2011> and
- 6 inserting <2012>
- 7 16. By renumbering as necessary.

By MASCHER of Johnson

**H-8175** FILED FEBRUARY 22, 2010

**HOUSE FILE 2382**

**H-8177**

1 Amend **House File 2382** as follows:

- 2 1. Page 1, line 4, before <Cities> by inserting
- 3 <1.>
- 4 2. Page 1, after line 28 by inserting:
- 5 <2. Notwithstanding subsection 1, a city may
- 6 make an application to the workers' compensation
- 7 commissioner requesting that the city be allowed to
- 8 choose the care for its members receiving hospital,
- 9 nursing, and medical attention pursuant to this
- 10 section. After hearing, the workers' compensation
- 11 commissioner shall grant the city's request upon a
- 12 finding, by a preponderance of the evidence, that the
- 13 city will experience unreasonable increased costs if
- 14 its members have the right to choose the care. The
- 15 workers' compensation commissioner shall by rule
- 16 define what constitutes unreasonable increased costs
- 17 and establish application and hearing procedures for
- 18 consideration of requests made by cities pursuant
- 19 to this subsection. The workers' compensation
- 20 commissioner's ruling on a city's request pursuant to
- 21 this subsection shall be considered final agency action
- 22 pursuant to chapter 17A.>

By HUNTER of Polk

**H-8177** FILED FEBRUARY 22, 2010

**HOUSE FILE 2408**

**H-8178**

1 Amend **House File 2408** as follows:

- 2 1. Page 1, by striking lines 6 through 10 and
- 3 inserting <awarded by competitive bid in writing,
- 4 publicly invited and opened.>
- 5 2. Page 1, by striking lines 14 through 18 and
- 6 inserting <job is awarded by competitive bid in
- 7 writing, publicly invited and opened.>

By WHITEAD of Woodbury

**H-8178** FILED FEBRUARY 22, 2010

HOUSE FILE 2420

H-8173

- 1 Amend House File 2420 as follows:
- 2 1. Page 1, by striking lines 8 through 10.
- 3 2. Page 2, lines 7 and 8, by striking <For
- 4 executive branch employees, negotiations> and inserting
- 5 <Negotiations>
- 6 3. Page 2, line 18, by striking <executive branch>
- 7 4. Title page, lines 3 and 4, by striking
- 8 <executive branch> and inserting <public>
- 9 5. By renumbering as necessary.

By MASCHER of Johnson

H-8173 FILED FEBRUARY 22, 2010

HOUSE FILE 2420

H-8183

- 1 Amend House File 2420 as follows:
- 2 1. Page 6, after line 13 by inserting:
- 3 <Sec. \_\_\_\_ . NEW SECTION. 20.33 MANDATORY
- 4 RENEGOTIATION - EXECUTIVE BRANCH PUBLIC EMPLOYEES.
- 5 A collective bargaining agreement between a public
- 6 employer and a certified employee organization
- 7 representing executive branch employees shall provide
- 8 the agreement to be renegotiated if the governor
- 9 applies a reduction in appropriations pursuant to
- 10 section 8.31, subsections 2 and 5. The board shall
- 11 adopt a negotiation schedule to ensure that the
- 12 renegotiation of the collective bargaining agreement is
- 13 completed in an expedited manner.>
- 14 2. Page 6, line 17, after <services> by inserting
- 15 <and mandatory renegotiation of collective bargaining
- 16 agreements>
- 17 3. Title page line 4, after <employees> by
- 18 inserting <and mandatory renegotiation of certain
- 19 collective bargaining agreements>
- 20 4. By renumbering as necessary.

By RAECKER of Polk

H-8183 FILED FEBRUARY 22, 2010

H-8182

1 Amend House File 2436 as follows:

2 1. Page 3, after line 9 by inserting:

3 <Sec. \_\_\_\_\_. NEW SECTION. 321.180C Intermediate  
4 driver's license -- special procedure.

5 1. Teaching parent. As an alternative to the  
6 driver education requirements under section 321.178,  
7 a teaching parent may instruct a student in a driver  
8 education course that meets the requirements of this  
9 section and provide evidence that the requirements  
10 under this section have been met.

11 2. Definitions. For purposes of this section:

12 a. "Approved course" means driver education  
13 curriculum approved by the department pursuant to rules  
14 adopted under chapter 17A. An approved course shall,  
15 at a minimum, meet the requirements of subsection 3  
16 and be appropriate for teaching-parent-directed driver  
17 education and related street or highway instruction.  
18 Driver education materials that meet or exceed  
19 standards established by the department for an approved  
20 course in driver education for a public or private  
21 school shall be approved unless otherwise determined by  
22 the department. The list of approved courses shall be  
23 posted on the department's internet site.

24 b. "Student" means a person between the ages of  
25 fourteen and twenty-one years who is within the custody  
26 and control of the teaching parent and who satisfies  
27 preliminary licensing requirements of the department.

28 c. "Teaching parent" means a parent, guardian,  
29 or legal custodian of a student who is currently  
30 providing competent private instruction to the student  
31 pursuant to section 299A.2 or 299A.3 and who provided  
32 such instruction to the student during the previous  
33 year; who has a valid driver's license, other than a  
34 motorized bicycle license or a temporary restricted  
35 license, that permits unaccompanied driving; and who  
36 has maintained a clear driving record for the previous  
37 two years. For purposes of this paragraph, "clear  
38 driving record" means the individual has not been  
39 identified as a candidate for suspension of a driver's  
40 license under the habitual offender provisions of the  
41 department's regulations; is not subject to a driver's  
42 license suspension, revocation, denial, cancellation,  
43 disqualification, or bar; and has no record of a  
44 conviction for a moving traffic violation determined to  
45 be the cause of a motor vehicle accident.

46 3. Course of instruction.

47 a. An approved course administered by a teaching  
48 parent shall consist of but not be limited to the  
49 following:

50 (1) Thirty clock hours of classroom instruction.

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1 (2) Forty hours of street or highway driving  
2 including four hours of driving after sunset and before  
3 sunrise while accompanied by the teaching parent.

4 (3) Four hours of classroom instruction concerning  
5 substance abuse.

6 (4) A minimum of twenty minutes of instruction  
7 concerning railroad crossing safety.

8 (5) Instruction relating to becoming an organ  
9 donor under the revised uniform anatomical gift Act as  
10 provided in chapter 142C.

11 (6) Instruction providing an awareness about  
12 sharing the road with bicycles and motorcycles.

13 b. The content of the course of instruction  
14 required under this subsection shall be equivalent  
15 to that required under section 321.178. However,  
16 reference and study materials, physical classroom  
17 requirements, and extra vehicle safety equipment  
18 required for instruction under section 321.178 shall  
19 not be required for the course of instruction provided  
20 under this section.

21 4. Course completion and certification. Upon  
22 application by a student for an intermediate license,  
23 the teaching parent shall provide evidence showing  
24 the student's completion of an approved course and  
25 substantial compliance with the requirements of  
26 subsection 3 by affidavit signed by the teaching  
27 parent on a form to be provided by the department. The  
28 evidence shall include all of the following:

29 a. Documentation that the instructor is a teaching  
30 parent as defined in subsection 2.

31 b. Documentation that the student is receiving  
32 competent private instruction under section 299A.2  
33 or the name of the school district within which the  
34 student is receiving instruction under section 299A.3.

35 c. The name of the approved course completed by the  
36 student.

37 d. An affidavit attesting to satisfactory  
38 completion of course work and street or highway driving  
39 instruction.

40 e. Copies of written tests completed by the  
41 student.

42 f. A statement of the number of classroom hours of  
43 instruction.

44 g. A log of completed street or highway driving  
45 instruction including the dates when the lessons were  
46 conducted, the student's and the teaching parent's name  
47 and initials noted next to each entry, notes on driving  
48 activities including a list of driving deficiencies and  
49 improvements, and the duration of the driving time for  
50 each session.

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Page 3

1 5. Intermediate license. Any student who  
2 successfully completes an approved course as  
3 provided in this section, passes a driving test to  
4 be administered by the department, and is otherwise  
5 qualified under section 321.180B, subsection 2, shall  
6 be eligible for an intermediate license pursuant  
7 to section 321.180B. Twenty of the forty hours of  
8 street or highway driving instruction required under  
9 subsection 3, paragraph "a", subparagraph (2), may  
10 be utilized to satisfy the requirement of section  
11 321.180B, subsection 2.

12 6. Full license. A student must comply with  
13 section 321.180B, subsection 4, to be eligible for a  
14 full driver's license pursuant to section 321.180B.>

15 2. By renumbering as necessary.

**By** HAGENOW of Polk

H-8182 FILED FEBRUARY 22, 2010

HOUSE FILE 2437

H-8192

1 Amend House File 2437 as follows:

2 1. Page 2, after line 14 by inserting:

3 <Sec. \_\_\_\_ . Section 455B.172, subsection 11, Code  
4 Supplement 2009, is amended by adding the following new  
5 paragraph:

6 NEW PARAGRAPH. j. This subsection preempts any  
7 city or county ordinance related to the inspection of  
8 private sewage disposal systems in association with the  
9 transfer of ownership of a building.>

10 2. By renumbering as necessary.

**By** HUSER of Polk

H-8192 FILED FEBRUARY 22, 2010

HOUSE FILE 2442

H-8184

1 Amend House File 2442 as follows: 1.  
2 Page 3, after line 30 by inserting:  
3 <Sec. \_\_\_\_\_. Section 633.20, subsection 3, Code 2009,  
4 is amended to read as follows:  
5 3. A person appointed as an associate probate  
6 judge shall have jurisdiction to audit accounts of  
7 fiduciaries and to perform ministerial duties as  
8 a referee provided in this section and shall have  
9 additional jurisdiction to perform the judicial  
10 functions as the court prescribes provided in section  
11 633.20D.  
12 Sec. \_\_\_\_\_. NEW SECTION. 633.20D Associate probate  
13 judge -- jurisdiction -- appeals.  
14 1. An associate probate judge shall have  
15 the same jurisdiction to conduct probate court  
16 proceedings, to issue no-contact or protective orders,  
17 injunctions, contempt orders for adults in probate  
18 court proceedings, and to issue orders, findings, and  
19 decisions as the judge of the probate court. However,  
20 the chief judge may limit the exercise of probate court  
21 jurisdiction by the associate probate judge.  
22 2. The parties to a proceeding heard by an  
23 associate probate judge are entitled to appeal the  
24 order, finding, or decision of an associate probate  
25 judge, in the manner of an appeal from orders,  
26 findings, or decisions of district court judges. An  
27 appeal does not automatically stay the order, finding,  
28 or decision of an associate probate judge.>

**By** HUSER of Polk

H-8184 FILED FEBRUARY 22, 2010



HOUSE FILE 2442

H-8185

- 1 Amend House File 2442 as follows:
- 2 1. Page 1, after line 28 by inserting:
- 3 <Sec. \_\_\_\_\_. Section 236.4, Code 2009, is amended by
- 4 adding the following new subsection:
- 5 NEW SUBSECTION. 5A. Prior to the entry of a
- 6 temporary order under this section that involves a
- 7 child-custody determination as defined in section
- 8 598B.102, the plaintiff shall furnish information to
- 9 the court in compliance with section 598B.209.>
- 10 2. Page 1, after line 34 by inserting:
- 11 <Sec. \_\_\_\_\_. Section 236.5, subsection 1, paragraph
- 12 b, subparagraph (4), Code Supplement 2009, is amended
- 13 by adding the following new subparagraph division:
- 14 NEW SUBPARAGRAPH DIVISION. (d) Prior to entry of
- 15 an order or agreement under this section that involves
- 16 a child-custody determination as defined in section
- 17 598B.102, the parties shall furnish information to the
- 18 court in compliance with section 598B.209.>
- 19 3. By renumbering as necessary.

By HUSER of Polk

H-8185 FILED FEBRUARY 22, 2010

HOUSE FILE 2456

H-8174

- 1 Amend House File 2456 as follows:
- 2 1. Page 1, line 4, by striking <Text-messaging
- 3 while driving.> and inserting <Use of electronic
- 4 communication device while driving -- text messaging.>
- 5 2. Page 2, line 2, by striking <operator to
- 6 write, send, or read a text message.> and inserting
- 7 <operator.>
- 8 3. Page 2, lines 5 and 6, by striking <operator to
- 9 write, send, or read a text message.> and inserting
- 10 <operator.>
- 11 4. Title page, line 1, after <Act> by inserting
- 12 <concerning the use of electronic communication devices
- 13 while driving, including>
- 14 5. By renumbering as necessary.

By HANSON of Jefferson  
TJEPKES of Webster

H-8174 FILED FEBRUARY 22, 2010

HOUSE FILE 2456

H-8188

- 1 Amend House File 2456 as follows:
- 2 1. Page 1, line 25, by striking <write or send> and
- 3 inserting <write, send, or read>
- 4 2. Page 1, lines 27 and 28, by striking <writing or
- 5 sending> and inserting <writing, sending, or reading>
- 6 3. Title page line 1, by striking <writing or
- 7 sending>, and inserting: <writing, sending, or
- 8 reading>
- 9 4. By renumbering as necessary.

By HEATON of Henry

H-8188 FILED FEBRUARY 22, 2010

HOUSE FILE 2456

H-8191

- 1 Amend House File 2456 as follows:
- 2 1. Page 2, line 25, before <section> by inserting
- 3 <section 321.256, 321.257,>
- 4 2. Title page, line 3, by striking <penalties.> and
- 5 inserting <penalties, including penalties for certain
- 6 traffic violations which result in death or serious
- 7 injury.>
- 8 3. By renumbering as necessary.

By WINDSCHITL of Harrison

H-8191 FILED FEBRUARY 22, 2010

HOUSE FILE 2456

H-8193

- 1 Amend House File 2456 as follows:
- 2 1. By striking everything after the enacting clause
- 3 and inserting:
- 4 <Section 1. NEW SECTION. 321.371A Common sense
- 5 required.
- 6 A person shall use common sense at all times when
- 7 the person is operating a motor vehicle.>
- 8 2. Title page, by striking lines 1 through 3 and
- 9 inserting <An Act requiring the use of common sense by
- 10 the operator of a motor vehicle.>
- 11 3. By renumbering as necessary.

By RAECKER of Polk

H-8193 FILED FEBRUARY 22, 2010

H-8195

1 Amend House File 2456 as follows:

2 1. Page 2, after line 21 by inserting:

3 <Sec. \_\_\_\_\_. NEW SECTION. 321.296 Speed limit  
4 enforcement in work zones -- photo traffic enforcement.

5 The department of public safety, in cooperation with  
6 the department of transportation, shall place photo  
7 traffic enforcement devices in all road work zones on  
8 primary highways to enforce violations of the posted  
9 speed limits in the road work zones.

10 1. For purposes of this section, "photo traffic  
11 enforcement device" means a device used primarily  
12 for highway speed limit enforcement, substantially  
13 consisting of a low-powered Doppler radar unit and  
14 camera which automatically produces a photograph of a  
15 vehicle, including the vehicle's registration plate,  
16 traveling in excess of the legal speed limit, with the  
17 vehicle's speed and the date, time of day, and location  
18 of the violation printed on the photograph.

19 2. The department of transportation shall post  
20 signs providing notice to motorists in every road work  
21 zone where a photo traffic enforcement device is in  
22 use.

23 3. If a peace officer of the department of public  
24 safety determines from examination of the evidence  
25 produced by a photo traffic enforcement device that  
26 a speeding violation occurred in a road work zone,  
27 the peace officer may initiate an investigation not  
28 more than seven calendar days after the date of the  
29 violation. The peace officer may request that the  
30 owner of the vehicle supply information identifying  
31 the driver of the vehicle in accordance with section  
32 321.484, or in the case of a commercial motor vehicle,  
33 the peace officer may request that the employer of the  
34 driver provide information identifying the driver of  
35 the vehicle.

36 a. If, from the investigation, the peace officer  
37 is able to identify the driver of the vehicle and has  
38 reasonable cause to believe a speeding violation has  
39 occurred, the peace officer shall prepare a uniform  
40 traffic citation for the violation and shall serve it  
41 personally or by certified mail on the driver of the  
42 vehicle.

43 b. If, from the investigation, the peace officer  
44 has reasonable cause to believe that a speeding  
45 violation occurred but is unable to identify the  
46 driver, the peace officer shall serve a uniform traffic  
47 citation for the violation on the owner of the motor  
48 vehicle or, in the case of a commercial motor vehicle,  
49 on the employer of the driver. Notwithstanding section  
50 321.484, in a proceeding where the peace officer who

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1 conducted the investigation was not able to identify  
2 the driver of the motor vehicle, proof that the motor  
3 vehicle captured on camera and described in the uniform  
4 traffic citation was used to commit the speeding  
5 violation in a road work zone, together with proof that  
6 the defendant named in the citation was the owner of  
7 the motor vehicle or, in the case of a commercial motor  
8 vehicle, the employer of the driver, at the time the  
9 violation occurred, constitutes a permissible inference  
10 that the owner or employer was the person who committed  
11 the violation.

12 c. For purposes of this subsection, "owner" means a  
13 person who holds the legal title to a motor vehicle;  
14 however, if the motor vehicle is the subject of a  
15 security agreement with a right of possession in  
16 the debtor, the debtor shall be deemed the owner for  
17 purposes of this subsection, or if the motor vehicle is  
18 leased as defined in section 321.493, the lessee shall  
19 be deemed the owner for purposes of this subsection.

20 4. A photograph that meets the requirements of  
21 subsection 1 shall be accepted as prima facie evidence  
22 of the speeding violation in any legal proceeding where  
23 the speed of the motor vehicle is at issue.>

24 2. Page 2, after line 34 by inserting:

25 <Sec. \_\_\_\_\_. Section 321.484, subsection 2, Code  
26 2009, is amended to read as follows:

27 2. If a peace officer as defined in section 801.4  
28 has reasonable cause to believe the driver of a motor  
29 vehicle has violated section 321.261, 321.262, 321.264,  
30 321.341, 321.342, 321.343, 321.344, or 321.372, or  
31 has committed a violation recorded by a photo traffic  
32 enforcement device under section 321.296, the officer  
33 may request any owner of the motor vehicle to supply  
34 information identifying the driver. When requested,  
35 the owner of the vehicle shall identify the driver to  
36 the best of the owner's ability. However, the owner of  
37 the vehicle is not required to supply identification  
38 information to the officer if the owner believes the  
39 information is self-incriminating.>

40 3. Title page, line 1, after <Act> by inserting  
41 <relating to traffic safety by>

42 4. Title page, line 2, by striking <vehicle> and  
43 inserting <vehicle, providing for the use of photo  
44 traffic enforcement in road work zones on primary  
45 highways,>

46 5. By renumbering as necessary.

By WINDSCHITL of Harrison

HOUSE FILE 2461

H-8186

1 Amend House File 2461 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. SCHOOL BUSINESS OFFICIALS TASK FORCE.

5 1. The department of education, in consultation  
6 with the board of educational examiners, shall  
7 convene a task force to determine the standards and  
8 procedures, content, and processes of training programs  
9 and renewal requirements for individuals who seek  
10 licensure, certification, or authorization from the  
11 board of educational examiners for employment as a  
12 school business official responsible for the financial  
13 operations of a school district. The task force shall  
14 also review the tuition and fee costs to students and  
15 applicants for the training program and for fulfillment  
16 of continuing education requirements; review training  
17 specifications including but not limited to the length  
18 of time necessary for training and continuing education  
19 purposes; identify who should receive training;  
20 identify the costs to state agencies to administer and  
21 implement licensure, certification or authorizations,  
22 and to prescribe standards and procedures for the  
23 approval of training programs; and identify the  
24 appropriate level of licensure, certification, or  
25 authorization based on an individual's position of  
26 employment and educational background.

27 2. The task force shall be comprised of  
28 representatives of the Iowa association of school  
29 business officials, individuals holding financial  
30 leadership roles in large, medium, and small school  
31 districts, and a public member of the school budget  
32 review committee. The task force shall review other  
33 states professional organizations and programs  
34 regarding authorization of school business officials,  
35 determine the best practices for school district  
36 business management training programs, and identify and  
37 recommend the knowledge and skills necessary to obtain  
38 a school business official authorization from the board  
39 of educational examiners.

40 3. The task force shall submit its findings and  
41 recommendations in a report to the state board of  
42 education and the board of educational examiners by  
43 December 31, 2010.>

By COWNIE of Polk

H-8186 FILED FEBRUARY 22, 2010

HOUSE FILE 2468

H-8179

1 Amend House File 2468 as follows:

2 1. Title page, line 1, after <of> by inserting  
3 <all-terrain vehicles and>

By MAY of Dickinson

H-8179 FILED FEBRUARY 22, 2010

HOUSE FILE 2476

H-8190

1 Amend House File 2476 as follows:

2 1. Page 1, line 33, after <efficiency> by inserting  
3 <in a cost-effective manner>

**By** SODERBERG of Plymouth

H-8190 FILED FEBRUARY 22, 2010

HOUSE FILE 2492

H-8181

1 Amend House File 2492 as follows:

2 1. Page 5, after line 27 by inserting:

3 <Sec. \_\_\_\_\_. Section 257.17, Code 2009, is amended to  
4 read as follows:

5 257.17 Aid reduction for early school starts.

6 State aid payments made pursuant to section  
7 257.16 for a fiscal year shall be reduced by one  
8 one-hundred-eightieth for each day of that fiscal year  
9 for which the school district begins school before the  
10 earliest starting date specified in section 279.10,  
11 subsection 1. However, this section does not apply to  
12 a school district that has received approval from the  
13 ~~director of the department of education under section~~  
14 ~~279.10, subsection 4, to commence classes for regularly~~  
15 ~~established elementary and secondary schools in~~  
16 ~~advance of the starting date established in~~ for a pilot  
17 program for an innovative school year in accordance  
18 with section 279.10, subsection 4 3.>

19 2. Page 8, after line 25 by inserting:

20 <Sec. \_\_\_\_\_. Section 279.10, subsections 1 and 2,  
21 Code 2009, are amended to read as follows:

22 1. The school year shall begin on the first day  
23 of July and each regularly established elementary  
24 and secondary school shall begin no sooner than a day  
25 ~~during the calendar week in which the first day of~~  
26 ~~September falls the fourth Monday in August but no~~  
27 ~~later than the first Monday in December. However, if~~  
28 ~~the first day of September falls on a Sunday, school~~  
29 ~~may begin on a day during the calendar week which~~  
30 ~~immediately precedes the first day of September unless~~  
31 the school district has received approval from the  
32 department of education for a pilot program for an  
33 innovative school year in accordance with subsection 3.  
34 School shall continue for at least one hundred eighty  
35 days, except as provided in subsection 3, and may be  
36 maintained during the entire calendar year. However,  
37 if the board of directors of a district extends the  
38 school calendar because inclement weather caused the  
39 district to temporarily close school during the regular  
40 school calendar, the district may excuse a graduating  
41 senior who has met district or school requirements for  
42 graduation from attendance during the extended school  
43 calendar. A school corporation may begin employment  
44 of personnel for in-service training and development  
45 purposes before the date to begin elementary and  
46 secondary school.

47 2. The board of directors shall hold a public  
48 hearing on any ~~proposal request~~ request made pursuant to  
49 subsection 3 prior to submitting it to the department  
50 of education for approval.

H-8181

1     Sec. \_\_\_\_\_. Section 179.10, subsection 4, Code 2009,  
2 is amended by striking the subsection.>  
3     3. Page 9, line 20, by striking <subsection 2, Code  
4 2009, is> and inserting <subsections 1 and 2, Code  
5 2009, are>  
6     4. Page 9, after line 21 by inserting:  
7     <1. The board of directors of each public  
8 school district and the authorities in charge of  
9 each nonpublic school shall prescribe the minimum  
10 educational program and an attendance policy which  
11 shall require each child to attend school for at least  
12 one hundred forty-eight days, to be met by attendance  
13 for at least thirty-seven days each school quarter,  
14 for the schools under their jurisdictions. Each public  
15 school and nonpublic school shall comply with the start  
16 date and school calendar requirements specified in  
17 section 279.10, subsection 1.>  
18     5. Page 21, after line 7 by inserting:  
19     <Sec. \_\_\_\_\_. EFFECTIVE DATES. The provisions of the  
20 sections of this Act amending section 257.17, section  
21 279.10, subsections 1 and 2, section 279.10, subsection  
22 4, and section 280.3, subsection 1, take effect July 1,  
23 2011, and are applicable for school years beginning on  
24 or after that date.  
25     6. Title page, line 2, after <boards> by inserting  
26 <and including effective date and applicability  
27 provisions> 7. By renumbering as necessary.

**By** MAY of Dickinson



SENATE FILE 153

H-8180

1 Amend Senate File 153, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, before line 1 by inserting:  
4 <Sec. \_\_\_\_\_. Section 148C.3, Code 2009, is amended by  
5 adding the following new subsection:  
6 NEW SUBSECTION. 2A. a. A physician assistant  
7 shall notify the board of their participation in a  
8 business relationship pursuant to section 490A.1502  
9 or 496C.4, by supplying a copy of the articles of  
10 organization or incorporation and any amended articles.  
11 b. A physician assistant organized or incorporated  
12 pursuant to section 490A.1502 or 496C.4 shall not  
13 employ their supervising physician.  
14 c. The board shall adopt rules, in conjunction  
15 with the board of medicine and the board of nursing,  
16 to regulate the practice of physician assistants as a  
17 profession under chapters 490A and 496C, which allow  
18 medicine and surgery, osteopathic medicine and surgery,  
19 practice as a physician assistant, and practice as a  
20 nurse practitioner to be practiced as professions in  
21 combination by licensed individuals or a partnership of  
22 licensed individuals.  
23 d. Notwithstanding section 490A.1502 or 496C.4,  
24 or any other provision of law, a licensed physician  
25 assistant may be a member, shareholder, officer,  
26 director, or professional employee of a limited  
27 liability company or professional corporation so long  
28 as the sum of all membership interest or shares owned  
29 by licensed physician assistants or nurse practitioners  
30 in the company or corporation does not exceed  
31 forty-nine percent of the total interests or number of  
32 shares of the professional corporation when practicing  
33 their professions in combination with licensed  
34 individuals or a partnership of licensed individuals.>  
35 2. Page 2, after line 3 by inserting:  
36 <3. A professional limited liability company formed  
37 solely by a physician assistant shall use the words  
38 "physician assistant" in its name.>  
39 3. Page 4, after line 4 by inserting:  
40 <3. A professional corporation formed solely by  
41 a physician assistant shall use the words "physician  
42 assistant" in its name and shall not use the word  
43 "medicine" or "medical" in its name.>  
44 4. By renumbering as necessary.

**By** L. MILLER of Scott

H-8180 FILED FEBRUARY 22, 2010

SENATE FILE 431

H-8172

1 Amend Senate File 431, as passed by the Senate, as  
2 follows:

3 1. Page 3, line 20, after <a> by inserting  
4 <minimum>

5 2. Page 10, line 10, after <Code> by inserting  
6 <Supplement>

7 3. Page 13, line 5, by striking <2009> and  
8 inserting <2010>

COMMITTEE ON JUDICIARY

SWAIM of Davis, Chairperson

H-8172 FILED FEBRUARY 22, 2010

SENATE FILE 2250

H-8187

1 Amend Senate File 2250, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. NEW SECTION. 714.3A Aggravated theft.

6 1. A person commits aggravated theft when the  
7 person resists or obstructs another person attempting  
8 to detain the person after the person has removed  
9 property which has not been purchased from a store  
10 or mercantile establishment, either on the premises  
11 or outside the premises of the store or mercantile  
12 establishment.

13 2. a. A person who commits aggravated theft is  
14 guilty of an aggravated misdemeanor.

15 b. A person who commits aggravated theft, and who  
16 has previously been convicted of an aggravated theft,  
17 robbery in the first degree in violation of section  
18 711.2, robbery in the second degree in violation of  
19 section 711.3, or extortion in violation of section  
20 711.4, is guilty of a class "D" felony.

21 3. In determining if a violation is a class "D"  
22 felony offense the following shall apply:

23 a. A deferred judgment entered pursuant to section  
24 907.3 for a violation of any offense specified in  
25 subsection 2 shall be counted as a previous offense.

26 b. A conviction or the equivalent of a deferred  
27 judgment for a violation in any other states under  
28 statutes substantially corresponding to an offense  
29 specified in subsection 2 shall be counted as a  
30 previous offense. The courts shall judicially notice  
31 the statutes of other states which define offenses  
32 substantially equivalent to the offenses specified  
33 in this section and can therefore be considered  
34 corresponding statutes.>

35 2. Title page, lines 1 and 2, by striking <robbery  
36 in the third degree> and inserting <aggravated theft>

By STRUYK of Pottawattamie

H-8187 FILED FEBRUARY 22, 2010

SENATE FILE 2291

H-8189

1 Amend Senate File 2291, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, line 19, after <race> by inserting <,  
4 gender,>

By MAY of Dickinson  
ABDUL-SAMAD of Polk

H-8189 FILED FEBRUARY 22, 2010

# Fiscal Note

*Fiscal Services Division*



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**HF 2438** – Enticement of a Minor (LSB 1327HZ)

Analyst: Beth Lenstra (Phone: 515-281-6301) (beth.lenstra@legis.state.ia.us)

Fiscal Note Version – New

Requested by Representative Kurt Swaim

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## **Description**

**House File 2438** eliminates the aggravated misdemeanor crime of attempting to entice a minor, and elevates the crime of attempting to entice a minor to the level of enticing a minor. The Bill requires the offender to commit an overt act evidencing a purpose to entice in order to be convicted.

## **Background**

### **Correctional and Fiscal Information**

- Current law provides a graduated system of penalties for enticing a minor, ranging from an aggravated misdemeanor to a Class C felony. There were no Class C felony convictions for this offense in FY 2008 or FY 2009. Class C felonies tend to be prosecuted at the federal level. This Bill eliminates the aggravated misdemeanor penalty. Therefore, what are now aggravated misdemeanor convictions will become Class D felony convictions under **House File 2438**.
- There were four Class D and 14 aggravated misdemeanor convictions for enticing a minor in FY 2008. There were four Class D and 22 aggravated misdemeanor convictions for enticing a minor in FY 2009.
- Enhancing penalties increases the average length of stay in prison and the incarceration rate (number of offenders sentenced to prison). The average length of stay in prison is 10.6 months for an aggravated misdemeanor sex offense, and 34.1 months for a Class D felony sex offense.
- The incarceration rate to prison is 18.0% for an aggravated misdemeanor offender and 25.0% for a Class D felony offender.
- The average cost per misdemeanor case for the court system is \$200 for a bench trial and \$1,000 for a jury trial. The average cost per felony case for the court system is \$405 for a bench trial and \$2,000 for a jury trial.
- The average cost per case for indigent defense is \$1,200 for either an aggravated misdemeanor or a Class D felony.
- The average daily cost for probation is \$3.64. The average length of stay on probation is 18.3 months for an aggravated misdemeanor and 31.6 months for a Class D felony.
- The marginal cost (support budget only) for the State prison system is \$18.29 per day.
- These offenders may be required to comply with the terms of the Sex Offender Registry, and are placed in sex offender treatment, intensive supervision, and electronic monitoring while on probation.
- The cost per Global Positioning System bracelet is \$7 per day. The current practice of the Department of Corrections is to electronically monitor sex offenders using the GPS bracelet while they are under any type of supervision in the community, based on a risk assessment.

## Minority Data Information

- The U.S. Census estimate for Iowa was 3.0 million people as of July 1, 2008 (the most current estimate available). Men comprise 49.3% of the population. Approximately 92.0% of Iowa's population is white. The composition of the remaining 8.0% is: 3.2% black, 0.3% American Indian or Alaska Native; 1.7% Asian; and 2.8% is of two or more races or unknown.
- Iowa's prison population was 8,454 offenders on June 30, 2009. Men comprised 92.1% of the population. According to the Criminal and Juvenile Justice Planning Division (CJJPD) of the Department of Human Rights, the racial composition of the prison system was: 71.4% white; 25.8% black; 0.9% Asian or Pacific Islander; and 1.9% American Indian or Alaska Native. Included in these racial groups were 6.7% that identified themselves as Hispanic (nearly all of these identified themselves racially as being white).
- The majority of sex offenders admitted to DOC custody or supervision are white non-Hispanic males.

## Assumptions

### Correctional and Fiscal Information

- Charge, conviction, and sentencing patterns and trends will not change over the projection period.
- The criminal sentencing enhancement takes effect July 1, 2009. A lag effect of six months is assumed, from the law's effective date to the date of first entry of affected offenders into the correctional system.
- There is no increase for indigent defense.
- These cases will be bench trials.

**Minority Data Information:** Approximately 14.0% of Iowa's population has at least one disability. The number of offenders convicted under this Bill with a disability may be 14.0%.

## Summary of Impacts

**Correctional Impact:** There will be an estimated 22 offenders annually convicted of a Class D felony under the Bill that are convicted of an aggravated misdemeanor under current law. Eleven of these offenders will be sentenced to prison in FY 2011. Of these 11, a percentage would have gone to prison under current law as an aggravated misdemeanor. Under the Bill, they will be sentenced as a Class D felon and will stay in prison longer compared to current law.

The prison population will increase because of the length of stay for a Class D felon sex offender (34.1 months) is 68.9% longer than an aggravated misdemeanor sex offender (10.6 months). The table below shows the correctional impact on the prison system. The population increases by more than the number of admissions because the average length of stay exceeds one year.

Projected Prison Population Increase				
FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
11	33	49	57	62

On an annual basis, there will be 11 offenders whose average length of stay on probation will increase from 18.3 months to 31.6 months (72.7% Increase). All offenders sentenced under this Bill will remain in the correctional system for a longer period compared to current law.

### Minority Impact

The minority impact is expected to be minimal because the majority of offenders convicted under Iowa Code Section 710.10 are white non-Hispanic males.

### Fiscal Impact

The fiscal impact is estimated to be a \$38,500 cost to the General Fund in FY 2011. This estimate includes additional costs for the prison system (\$36,000) and the court system (\$2,500). The fiscal impact for FY 2012 is estimated to be a \$225,000 cost to the General Fund.

This estimate includes additional costs for the prison system (\$220,000) and the court system (\$5,000).

The fiscal impact to the Community-Based Corrections (CBC) system is anticipated to be minimal for the first two years. Costs are expected to increase in future fiscal years due to increasing caseloads attributed to the increased length of stay for offenders on probation.

Fewer misdemeanants will serve time in county jails so there will be savings to county jail operations but the impact cannot be estimated due to a lack of data.

The above fiscal impact is expected to be the minimum impact of this Bill. There will be significant increases in State costs beyond the projections in this fiscal note, to the extent that federal Internet Crimes Against Children funding is available for State and local law enforcement, and State rather than federal charges are brought.

### **Sources**

Judicial Branch  
Department of Corrections  
Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Office of the State Public Defender  
Department of Public Safety

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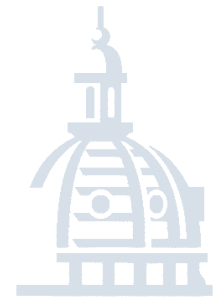
/s/ Holly M. Lyons

February 22, 2010

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to [Section 2.56, Code of Iowa](#). Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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**HF 2477** – Mechanic's Lien, Chapter 572 Revision (LSB 5016HV)  
Analyst: Ron Robinson (Phone: 515-281-6256) (ron.robinson@legis.state.ia.us)  
Fiscal Note Version – New

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### **Description**

**House File 2477** relates to mechanics' liens including the establishment of a State Construction Registry (SCR) for residential construction property.

The SCR is a centralized computer database maintained and posted on the internet by the Iowa Finance Authority (IFA) that provides a central repository for the submission and management of preliminary notices and notices of commencement of work on all residential construction properties.

The Bill requires a general contractor or owner-builder to submit a notice to the IFA or post a notice to the SCR to establish a lien.

The Bill provides for the creation of the SCR for residential construction property for the posting of notices by general contractors, owner-builders, and subcontractors, to protect their lien rights. The SCR, once created, is required to be a publicly accessible centralized electronic database created and maintained by the IFA.

The IFA is required to adopt rules for the creation and administration of the SCR. The SCR is to be funded through the collection of fees to be deposited in the State Construction Registry Fund created within the IFA.

The Bill eliminates the requirement that the clerk of court make an abstract of a claim for a mechanic's lien. However, clerks will be required to index claims in the office of the county where the real estate is located.

The Bill takes effect July 1, 2011.

### **Assumptions**

- There will be approximately 15,000 preliminary notice filings during FY 2011 and 19,000 during FY 2012 and each year thereafter.
- There will be approximately 14,000 commencement filings during FY 2011 and 17,000 during FY 2012 and each year thereafter.
- The Iowa Finance Authority will establish by rule a fee of \$4 for preliminary notice filings and \$7 for commencement filings.
- The IFA will advance start-up funding from available non-General Fund resources to be repaid from filing fees.

## **Fiscal Impact**

[House File 2477](#) will not have a fiscal impact on the courts. The courts will now be indexing claims instead of making an abstract.

The SCR will receive approximately \$158,000 in fees during FY 2012. The establishment and administration of the SCR by the IFA will cost a total of approximately \$158,000 over FY 2011 and FY 2012. The IFA will use available non-General Fund resources for cash flow purposes during FY 2011 until fees are received in FY 2012.

For FY 2013, and each year thereafter, fee revenue and IFA expenses are both estimated to be \$195,000.

## **Sources**

Iowa Finance Authority  
Judicial Branch

\_\_\_\_\_  
/s/ Holly M. Lyons

February 22, 2010

\_\_\_\_\_  
The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.



# Fiscal Note

*Fiscal Services Division*



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**HF 2158** – Foster Children, Preparation for Adult Living (LSB 5266HH)  
Analyst: Deborah Helsen (Phone: 515-281-6764) (deborah.helsen@legis.state.ia.us)  
Fiscal Note Version – New  
Requested by Representative Chuck Soderberg

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## **Description**

**House File 2158** relates to the Preparation for Adult Living (PAL) Program under the purview of the Department of Human Services (DHS). The Bill expands eligibility to include adopted persons that received foster care paid for by the State at some point during the 48-month period (ages 14 to 18) before becoming age 18. A person is not eligible for the Program if adoption subsidy payments are still being made on behalf of the person.

## **Background**

The PAL Program serves young persons that leave State paid foster care at the age of 18 or older, are no longer eligible for voluntary foster care, and are engaged full-time in one or some combination of employment or enrollment in a postsecondary educational training program or work training.

Currently, if a youth is adopted they are not eligible for the PAL Program since they are no longer receiving State paid foster care services. They will be eligible for adoption subsidies until the age of 18 or until the age of 21 if they have been diagnosed with a physical, mental, or emotional disability.

This Bill affects families with children that qualify to continue receiving a subsidy payment past the age of 18. It is estimated that approximately 50.0% of families are currently eligible. These families have the option of continuing to receive adoption subsidy payments or enrolling in the PAL Program to receive those services.

NOTE: The Department requested \$900,000 of new State General Fund money for FY 2011 to avoid a waiting list. For the past three fiscal years, the Department has seen a significant increase in enrollment since the Program's inception in FY 2007. State funding has remained status quo and the Department has been able to divert federal John H. Chafee Foster Care Independence Grant funding to cover the increases. However, the federal government is requiring the Department to create a database that would track foster care children as they age out of eligibility for services. As a result of this enforcement, the federal funding for the PAL Program will no longer be available since it must be used for the new database. The Governor did not recommend funding the Department's request. Unless the General Assembly appropriates the additional \$893,000, the Department will need to begin a waiting list starting July 1, 2010. Youth that enroll in the PAL Program as a result of this Bill will be placed on the waiting list, in addition to others, on a first come, first serve basis and will not receive services in FY 2011.

### **Assumptions**

- A total of 47 youth receiving an adoption subsidy were adopted at age 14 or older and will be eligible for the PAL Program in FY 2011.
- A total of 24 of the 47 will continue receiving the adoption subsidy past the age of 18.
- A total of six to 12 of the 24 will enroll in the PAL Program instead of continuing to receive an adoption subsidy.
- There will be a savings of \$22,000 to \$44,000 to the State General Fund for the Adoption Subsidy Program annually.
- Expenditures for the PAL Program will increase by \$64,000 to \$128,000.
- For FY 2012, six to 12 additional youth will enroll in the PAL Program as a result of this Bill. The initial six to 12 will continue to be enrolled.

### **Fiscal Impact**

The fiscal impact of this Bill for FY 2011 is a net increase to General Fund expenditures of \$42,000 to \$84,000. For FY 2012, the fiscal impact range is a net increase to General Fund expenditures of \$84,000 to \$168,000.

### **Source**

Department of Human Services

/s/ Holly M. Lyons

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February 22, 2010

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



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**HF 2486** – Consumer Credit Code Changes (LSB 5388HV)

Analyst: Beth Lenstra (Phone: 515-281-6301) (beth.lenstra@legis.state.ia.us)

Fiscal Note Version – New

Requested by Representative Bob M. Kressig

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## **Description**

**House File 2486** increases fees that are retained by the Office of the Attorney General for enforcement of the Consumer Credit Code.

## **Background**

- Currently, fees charged and retained by the Office of the Attorney General are deposited in the Consumer Credit Administration Fund and used for enforcement of the Consumer Credit Code.
- In FY 2009, a total of 928 debt collectors filed notification with the Attorney General's Office. At that time the fee was \$10 (\$9,280 collected in fees). This Bill increases the fee to \$100 (\$92,800 collected in fees).
- In FY 2009, a total of 588 creditors paid a \$10 fee to the Office (\$5,880 collected in fees). This Bill increases the fee to \$20 (\$11,760 collected in fees).

## **Assumption**

The number of debt collectors and creditors will remain constant.

## **Fiscal Impact**

This Bill is estimated to generate a net additional \$89,000 of fee revenue that will be retained by the Office of the Attorney General for enforcement of the Consumer Credit Code.

## **Source**

Office of the Attorney General

/s/ Holly M. Lyons

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February 22, 2010

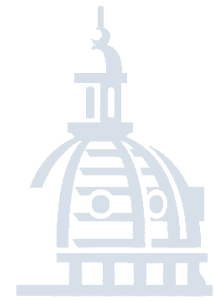
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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



**HF 2462** – Special School Funds (LSB 5541HV)

Analyst: Shawn Snyder (Phone: 515-281-7799) (shawn.snyder@legis.state.ia.us)

Fiscal Note Version – New

## **Description**

**House File 2462** provides expansion of the uses of the regular Physical Plant and Equipment Levy (PPEL) funds. Specifically, this Bill provides that regular PPEL funds can be used for:

- The purchase or lease of computers or computer-related equipment and computer software without restrictions on cost.
- The funding of technical support services provided by a third party contractual agreement and technical support training of school district staff.
- The repair costs of any equipment purchased with PPEL funds.

Additionally, the Bill specifies that any unspent PPEL fund balance that is attributable to the regular PPEL may be used for the expanded uses. The Bill also requires, beginning in FY 2011, the regular PPEL and voter-approved PPEL funds be deposited in separate accounts within each district's PPEL Fund. Revenue received from the Secure an Advanced Vision for Education (SAVE) Fund is prohibited for the expanded uses provided in this Bill. Voter-approved PPEL funds are not allowed to be used for the expanded uses provided in this Bill.

## **Background**

In FY 2010, 335 districts had regular PPEL revenues totaling approximately \$39.7 million. Additionally, preliminary FY 2009 Certified Annual Report (CAR) data indicate that 344 districts had a positive undesignated, unreserved PPEL Fund ending balance totaling \$108.2 million. Of that amount, LSA estimates that 318 districts would have a maximum total of \$39.8 available for the expanded purposes. The regular PPEL capacity is determined by applying the maximum tax rate (\$0.33/\$1,000 of taxable valuation) and subtracting the FY 2010 PPEL amount generated by the school districts. In FY 2010, the total remaining regular PPEL capacity totaled \$2.6 million. The following table provides FY 2010 regular PPEL data pertaining to the Bill.

FY 2010 Regular Physical Plant and Equipment Levy (PPEL) Amounts					
	Total Regular PPEL	Remaining PPEL Capacity for Districts with PPEL but Not at Maximum	PPEL Capacity for Districts with no Regular PPEL	Total Remaining Capacity Regular PPEL	Estimated Regular PPEL Fund Balance Available for Expanded Uses
Amount in Millions	\$ 39.7	\$ 0.3	\$ 2.3	\$ 2.6	\$ 39.8
Number of Districts	335	8	26	34	318
Percentage of Districts	92.8%	2.2%	7.2%	9.4%	88.1%

## **Assumptions**

The maximum regular PPEL tax rate is \$0.33/\$1,000 of taxable valuation. In FY 2010, there were 327 school districts that levied the maximum PPEL amount. Use of the regular PPEL is approved by each local school board. Although there are 26 districts that currently do not have the regular PPEL and there are eight districts that currently are not levying the regular PPEL to the full capacity, it is unknown if the expanded use of the regular PPEL will result in an increase the total regular PPEL in future years.

The statewide taxable valuation growth is estimated at 3.9% for FY 2011.

## **Fiscal Impact**

There is no impact to the State General Fund.

Although there is no regular PPEL levy rate increase as a result of this Bill, providing for the expanded use of regular PPEL funds may result in an increase in the total amount of regular PPEL. Although the amount is unknown, it is not expected to exceed the remaining regular PPEL capacity of \$2.7 million in FY 2011.

## **Sources**

Department of Management, School Aid file  
Department of Education, FY 2009 Certified Annual Report (preliminary)  
LSA calculations and analysis

/s/ Holly M. Lyons

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February 22, 2010

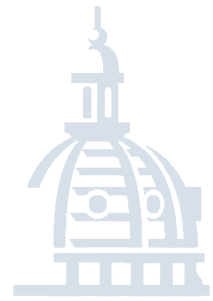
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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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# Fiscal Note

*Fiscal Services Division*



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**HF 2322** – Iowa Finance Authority Programs (LSB 6118HV)

Analyst: Ron Robinson (Phone: 515-281-6256) (ron.robinson@legis.state.ia.us)

Fiscal Note Version – New

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## **Description**

**House File 2322** strikes a provision that requires expense payments for general public members of the Council on Homelessness to be made from State General Fund appropriations. The Bill specifies that such expenses must be reimbursed by the Iowa Finance Authority (IFA).

The Bill authorizes the IFA to use moneys in the Housing Trust Fund for the Iowa Mortgage Help Initiative.

The Bill creates a new Workforce Housing Assistance Grant Fund under the IFA for purposes of providing financial assistance to workforce housing projects. Interest and earnings on moneys in the Fund are credited to the Fund.

## **Background**

The Council on Homelessness received a \$5,000 General Fund appropriation for FY 2010 in **SF 478** (FY 2010 Standing Appropriations Act). The appropriation was eliminated through the across-the-board reduction and an appropriation transfer. The expenses are currently paid from other funds available to IFA. The Bill codifies the current practice.

The Iowa Mortgage Help Initiative is a Program that provides foreclosure prevention assistance and counseling and includes the Iowa Mortgage Help Hotline. The Program is currently operated with the use of approximately \$2.9 million of federal funding.

## **Assumptions**

- The expenses for the Council on Homelessness will be paid from the IFA general fund.
- The costs for the Iowa Mortgage Help Initiative will remain at the current annual amount of \$2.9 million.
- Funds are not being appropriated for the Workforce Housing Assistance Grant Fund.

## **Fiscal Impact**

This Bill will not change the current practice of paying the expenses of the Council on Homelessness from funds available to IFA and, therefore, will not have an impact on that Fund.

If federal funding is eliminated for the Iowa Mortgage Help Initiative, the \$2.9 million expenses for the Initiative could be paid for from the Housing Trust Fund in the future.

The creation of the Workforce Housing Assistance Grant Fund will not have a fiscal impact unless an appropriation is made to the Fund.

## **Source**

Iowa Finance Authority (IFA)

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/s/ Holly M. Lyons

February 22, 2010

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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## Fiscal Note

*Fiscal Services Division*



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**HF 2404** – Hearing Aid Insurance Coverage for Children (LSB 6189HV)  
Analyst: Joseph Brandstatter (Phone: 515-281-8223) (joseph.brandstatter@legis.state.ia.us)  
Fiscal Note Version – New

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### **Description**

**House File 2404** requires insurers offering certain individual or group health insurance contracts, policies, or plans in the State to provide coverage for certain audiological services and hearing aids for children. The Insurance Commissioner will adopt rules to administer the requirements in the Bill. The Bill requires these insurers to provide minimum coverage for audiological services and hearing aids for children that must include, at a minimum:

- Coverage for audiological evaluations performed by a licensed audiologist.
- Coverage for hearing aids that are recommended by a licensed audiologist and dispensed by a licensed hearing aid dispenser for children up to 18 years of age.
- Coverage for an ear mold and a hearing aid for each hearing impaired ear payable every 24 months for children up to 18 years of age.
- Coverage for up to four additional ear molds per year for children up to three years of age.

### **Background**

The Iowa Department of Public Health currently operates a program (on a limited basis) that covers hearing aid and audiological needs for children enrolled in private medical insurance plans that do not cover these services. For FY 2009, the State spent \$265,000 to provide hearing aids and audiological services for 231 children enrolled in the program.

### **Assumptions**

- The Department of Administrative Services has indicated that State employee plans administered by Wellmark Blue Cross and Blue Shield of Iowa would see the State's share of premiums increase approximately 0.1% or \$500,000 for FY 2011 and FY 2012.
- The Board of Regents has indicated that premiums would increase 0.1% for an estimated cost of \$170,000 for FY 2011 and FY 2012.
- The Insurance Division has indicated that rules can be administered with current staffing levels.

### **Fiscal Impact**

The cost to the State's General Fund is expected to be \$670,000 for FY 2011 and subsequent fiscal years.

### **Sources:**

Department of Administrative Services, Board of Regents, Iowa Insurance Division, Legislative Services Agency

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/s/ Holly M. Lyons

February 22, 2010

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#). Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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